

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

EUGENE DAVIS,

Petitioner,

v.

WARDEN SPAULDING,

Respondent.

NO. 3:17-CV-00968

(JUDGE CAPUTO)

(MAGISTRATE JUDGE
MEHALCHICK)

ORDER

NOW, this 17th day of June, 2019, upon review of the Report and Recommendation of Magistrate Judge Mehalchick (Doc. 25), **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation is **ADOPTED**.
- (2) Petitioner Eugene Davis's Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Doc. 1) is **DISMISSED without prejudice** for lack of jurisdiction.
- (3) The Clerk of Court is directed to mark this case **CLOSED**.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge